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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

In the Matter of	:	
	:	Administrative Action
BARRY WAGENBERG, D.M.D.	:	
	:	CONSENT ORDER
Licensed to Practice Dentistry	:	
in the State of New Jersey	:	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a report from the Enforcement Bureau disclosing the results of a Board investigation concerning allegations that Barry Wagenberg, D.M.D. ("respondent") and Robert Eskow, D.M.D. engaged in the practice of one dentist utilizing more than two licensed dental hygienists at one time in a dental office in violation of N.J.A.C. 13:30-2.3(c). At all times relevant to this investigation, Dr. Wagenberg and Dr. Eskow were partners in their dental practice.

It appears to the Board that in a period commencing January 1993 the respondent and Dr. Eskow utilized more than two licensed dental hygienist per dentist at one time in a dental office in violation of N.J.A.C. 13:30-2.3(c). By way of example, but not by limitation, dental hygienists Sandra Siniakin (license #HI04245), Maria Delcastillo (license #HI05870), and Sharlene Cooney

(license #HS05425) were all utilized at one time in a dental office on January 1, 1993, January 27, 1993, March 17, 1993, March 24, 1993, March 31, 1993, July 21, 1993.

It appearing that the parties wish to resolve this matter without recourse to formal proceedings and for good cause shown:

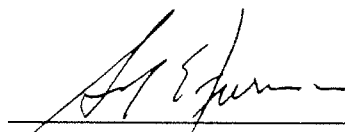
IT IS ON THIS 5th DAY OF June 1996,
HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed a civil penalty in the amount of \$5,000.00 This civil penalty shall be submitted by certified check or money order made payable to the State of New Jersey and sent to the Board of Dentistry at 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, no later than twenty-one days from the time this Order is signed by the Board President and filed in the Board office.

2. Respondent shall cease and desist any and all further acts of utilizing more than two dental hygienists at one time for one dentist in a dental office and shall comply with N.J.C.A. 13:30-2.3(c).

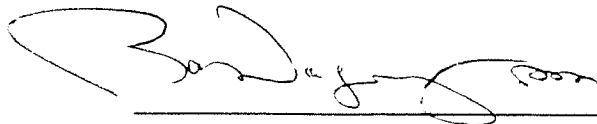
3. Respondent is hereby reprimanded and cautioned that more serious penalties will be imposed in the event subsequent complaints of a similar nature are filed against him.

4. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$644.66 Said costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board of Dentistry no later that twenty-one days from the time this Order is signed by the Board President and filed in the Board office.



SAMUEL FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY

I have read and understand the within Order and agree to be bound
by its terms. Consent is hereby given to the Board to enter this Order.

A handwritten signature in black ink, appearing to read 'Barry Wagenberg', is written over a horizontal line.

Barry Wagenberg, D.M.D.